

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76430 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

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UMESH KUMAR YADAV @ UMESH YADAV (male), aged about 30 years,
son of Shankar Chaudhary @ Shankar Ray @ Shankar Yadav, resident of
village – Lakhrawan, P.S. - Muffasil, District – Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Y.C. Verma, Sr. Advocate

For the Opposite Party/s : Mr.Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-12-2019 Heard learned Senior Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Muffasil P.S. Case No. 125/2019 registered
under Sections 272/273 of the Indian Penal Code and
30(a)/41(i) of the Bihar Prohibition & Excise Act, 2016.

Learned Senior Counsel for the petitioner submits that
the recovery of illicit liquor has been made outside the
residential premises of this petitioner and no illicit liquor has
been recovered from the house of Sudesh Chaudhary who is
brother of this petitioner, however petitioner has no criminal
antecedent.

Learned A.P.P. for the State has opposed the prayer for



anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned Senior Counsel for the petitioner submits that the recovery of illicit liquor has been made outside the residential premises of this petitioner and it has been specifically stated in the F.I.R. that no illicit liquor has been recovered from the house of Sudesh Chaudhary who is brother of this petitioner and further that petitioner has no criminal antecedent, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 11th cum – Special Judge, Excise, Siwan, in connection with Muffasil P.S. Case No. 125/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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